

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEFFREY P. COLBY,)	
)	
Plaintiff,)	8:05cv116
)	
vs.)	ORDER
)	
WASHINGTON COUNTY,)	
et al.,)	
)	
Defendants.)	

This matter is before the court on filing no. 8, the Motion for Leave to File Amended Complaint Instantner, filed by the plaintiff, Jeffrey P. Colby. Leave to file the Amended Complaint is granted instantner, and filing no. 8 is now the operative complaint in this action. As a result, Walter Groves will be added as a defendant, and Michael Robinson, who is not named in the caption of the Amended Complaint, will be terminated as a defendant. The court has received completed summons and 285 forms from the plaintiff for service of process on Walter Groves, in his individual capacity.

IT IS THEREFORE ORDERED:

1. That filing no. 8, the plaintiff's Motion for Leave to File Amended Complaint Instantner, is granted, and filing no. 8 is now the operative complaint in this action;
2. That the Clerk of Court shall add Walter Groves as a defendant, and the Clerk shall terminate Michael Robinson as a defendant; and
3. That the Clerk shall sign and forward the summons for Walter Groves, together with a copy of the Amended Complaint, to the U.S. Marshal for service of process; the Marshal shall serve the summons and Amended Complaint without payment of costs or fees; service may be by certified mail pursuant to Fed. R. Civ. P. 4 and Nebraska law in the discretion of the Marshal.

DATED this 6th day of June, 2005.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge